

Appln. No.: 09/800,021
Amendment Dated November 23, 2004
Reply to Office Action of August 26, 2004

MATP-360US1

Remarks/Arguments:

Claims 1-16 are pending in the above-identified application.

Claims 1 and 9 were rejected under 35 U.S.C. § 103 (a) as being obvious in view of Topper. With respect to claims 1 and 9 the rejection is respectfully traversed. The present application is a continuation application of Serial No. 08/857,912 filed on May 16, 1997. The Topper patent issued on December 14, 1999. Thus, the Topper patent can be a prior art reference only under 35 U.S.C. § 102(e). Pursuant to 35 U.S.C. § 103 (c), however, Topper cannot be used in an obviousness rejection because Topper was assigned to Matsushita Electric Industrial Co., Ltd., the assignee of the subject application, at the time the present application was filed as shown by the assignment recorded at Reel 008638, Frame 0907. Therefore, claims 1 and 9 are not subject to rejection under 35 U.S.C. § 103 (a) in view of Topper.

Claims 4 and 12 were rejected under 35 U.S.C. § 103 (a) as being obvious in view of Topper and the section from the text entitled *Digital Image Processing*. This rejection is respectfully traversed. Topper cannot be used as an obvious rejection for the reasons described above. The section from the text entitled *Digital Image Processing* concerns a method of sharpening edges by means of sharpening filters. The Digital Image Processing Article does not disclose or suggest the limitations of claim 1. In particular, the Digital Image Processing Article does not disclose or suggest:

if the first and second color signals are at proper levels then analyzing the set of samples of the first color signal to determine whether the first set of samples contains M samples representing an edge in the image, where M is an integer less than N, and storing the first and second sets of samples if the first set of samples is determined to contain the M samples representing the edge

as required by claim 1 from which claim 4 depends. Claim 9, from which claim 12 depends includes similar recitations.

The *Digital Image Processing* text does not disclose or suggest any method of analyzing samples to determine if they contain an edge. Instead, this text describes a sharpening filter that is applied to the image as a whole, without regard to whether the image includes edges. (See section entitled "Adaptive Filters") starting at page 197. Claims 4 and 12 depend from claims 1 and 9, respectively. Accordingly, claims 4 and 12 are not subject to rejection under 35 U.S.C. § 103(a) in view of Topper and the *Digital Image Processing* text for at least the same reasons as claims 1 and 9.

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Claims 1 and 9 were rejected under 35 U.S.C. § 103 (a) as being obvious in view of White et al. This rejection is respectfully traversed. With regard to claim 1, White et al. do not disclose or suggest, "selecting a first set of N samples of the first color signal and a second set of N samples of the second color signal, where N is an integer greater than 2" or "...analyzing the set of samples of the first color signal to determine whether the first set of samples contains M samples representing an edge in the image." White et al. describe an automatic registration control system for color television cameras. The system disclosed by White et al. is a continuous analog system. The present invention is a sampling system. White et al. samples only the error signals that occur at the output of the integrator 36. These sampled signals are applied to the control system 38 (see Fig.1 and col. 4, lines 41-46). These error signals are not sampled on a pixel basis but at the end of a "region" of an image. The invention in White et al. does not take sets of samples of the color signals and then analyze a set of samples of one of the color signals. Instead, the apparatus disclosed by White et al. multiplies analog signals using an analog multiplier and integrates the result in an analog integrator. The result is a continuous analog signal. Because White et al. does not disclose the limitations of claim 1, claim 1 is not subject to rejection under 35 U.S.C. § 103(a) in view of White et al.

With regard to claim 9, claim 9, while not identical to claim 1, include features similar to those set forth above with regard to claim 1. Therefore, claim 9 is also not subject to rejection for the same reasons as those set forth above with regard to claim 1.

Claims 4 and 12 were rejected under 35 U.S.C. § 103 (a) as being obvious in view of White et al. and the *Digital Image Processing* text. This rejection is respectfully traversed. Both White et al. and the *Digital Image Processing* article are described above. With regard to claim 4, claim 4 depends from claim 1. Neither White et al. nor the *Digital Image Processing* text disclose or suggest the limitations of claim 1. In particular, neither White et al. nor the *Digital Image Processing* Article disclose or suggest, "selecting a first set of N samples of the first color signal and a second set of N samples of the second color signal, where N is an integer greater than 2" or "...analyzing the set of samples of the first color signal to determine whether the first set of samples contains M samples representing an edge in the image." Claim 4 depends from claim 1. Accordingly, claim 4 is not subject to rejection under 35 U.S.C. § 103(a) in view of the *Digital Image Processing* article for at least the same reasons as claim 1.

With regard to claim 12, claim 12 depends from claim 9. Claim 9, while not identical to claim 1, include features similar to those set forth above with regard to claim 1. Therefore,

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claim 9 is also not subject to rejection for the same reasons as those set forth above with regard to claim 1. Claim 12 depends from claim 9. Accordingly, claim 12 is not subject to rejection under 35 U.S.C. § 103(a) in view of White et al. and the Digital Image Processing article for at least the same reasons as claim 9.

Applicants appreciate the indication that claims 2-3, 5-8, 10-11 and 13-16 would be allowable if amended to be independent and to include all the limitations of their base claims and any intervening claims. Because, as described above, claims 1 and 9 are in condition for allowance, no amendment to claims 2-3, 5-8, 10-11 and 13-16 are needed.

The prior art made of record but not applied has been considered but does not affect the patentability of the invention.

In view of the foregoing amendments and remarks, Applicants request that the Examiner reconsider and withdraw the objections to claims 2-3, 5-8, 10-11 and 13-16 and the rejection of claims 1,4,9 and 12.

Respectfully submitted,


Kenneth N. Nigon, Reg. No. 31,549
Attorney(s) for Applicant(s)

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P.O. Box 980
Valley Forge, PA 19482
(610) 407-0700

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Tonya M. Berger